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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DARIN HEATHERLY AND IRMA
RAMIREZ,

Plaintiffs,
v.

SEBT, LLC,

Defendants.

CASE NO.: 3:15-cv-00851- MEJ

**STIPULATION OF DISMISSAL AND
~~[PROPOSED]~~ ORDER THEREON**

The Parties, by and through their respective counsel, stipulate to dismissal of this action in its entirety with prejudice pursuant to Fed.R.Civ.P.41(a)(2).

Therefore, IT IS HEREBY STIPULATED by and between parties to this action through their designated counsel that the above-captioned action become and hereby is dismissed with prejudice and each side is to bear its own costs and attorneys' fees.

The parties further consent to and request that the Court retain jurisdiction over enforcement of the Agreement. *See Kokonen v. Guardian Life Ins. Co.*, 511 U.S. 375 (1994) (empowering the district courts to retain jurisdiction over enforcement of settlement agreements).

1 This stipulation may be executed in counterparts, all of which together shall constitute one
2 original document.

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4 Dated: November 5, 2015

THOMAS E. FRANKOVICH
A PROFESSIONAL LAW CORPORATION

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7 By: /s/ Thomas E. Frankovich
Thomas E. Frankovich
8 Attorney for Plaintiffs

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10 Dated: November 5, 2015

ALLMAN & NIELSEN, P.C.

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12 By: /s/ Sara B. Allman
Sara B. Allman
13 Attorney for Defendants

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15 **ORDER**

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17 IT IS HEREBY ORDERED that this matter is dismissed with prejudice pursuant to
18 Fed.R.Civ.P.41(a)(2) and each side is to bear its own costs and attorneys' fees. IT IS FURTHER
19 ORDERED that the Court shall retain jurisdiction for the purpose of enforcing the parties'
20 Settlement Agreement and General Release should such enforcement be necessary.

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22 Dated: November 5, 2015

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24 MARIA-ELENA JAMES
25 UNITED STATES MAGISTRATE JUDGE
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